

### **REMARKS/ARGUMENTS**

The following remarks are submitted in response to the Non-Final Office Action mailed November 1, 2007. Applicant respectfully traverses all objections, rejections and assertions made by the Examiner. Claims 1-8, 10-12, 14-19, 21-31, 33 and 34 remain pending in the Application. Reconsideration, examination and allowance of all pending claims are respectfully requested.

#### **35 U.S.C. § 102(a) Rejections**

The Examiner rejected claim 34 under 35 U.S.C. § 102(a) as being anticipated by *Heidner et al.* (U.S. Patent Application 2003/0149465). Applicants respectfully traverse this rejection. To anticipate a claim, the reference must teach every element of the claim. See M.P.E.P. §2131.01. *Heidner et al.* fail to do so.

The Examiner argues that *Heidner et al.* disclose “[u]sing melting and flowing of an outer member to bond with a core wire.”

In paragraph 39 *Heidner et al.* describe a sleeve 32 heat shrunk around the parts to be permanently bonded. For example, figures 1 and 5 illustrate a sleeve 32 that is heat shrunk around balloon 16 and/or distal tip 30. Thus, *Heidner et al.* appear to teach heat shrinking a sleeve 32 around balloon 16 and/or distal tip 30.

In contrast to *Heidner et al.*, claim 34 recites “[c]reating a non-welded mechanical bond between the tubular member and the core wire.” This distinguishes claim 34 from *Heidner et al.*, because while *Heidner et al.* heat shrinks sleeve 32 around balloon 16 and/or distal tip 30, it does not appear to teach or suggest creating a non-welded mechanical bond between a tubular member and a core wire. Thus, Applicant respectfully asserts that claim 34 is not anticipated by the *Heidner et al.* reference.

#### **U.S.C. § 103(a) Rejections**

In paragraph 5 of the Office Action, the Examiner rejects claims 1-3, 5-8, 10-12, 14-19, 21-23, 25-31 and 33-34 under 35 U.S.C. § 103(a) as being unpatentable over *Safarevich* (U.S. Patent 6,061,595) in view of *Mizutani et al.* (Japan Patent No. 59-92,188). To establish

prima facie obviousness of a claimed invention, all of the claim limitations must be taught of suggested by the prior art. (See M.P.E.P. §2143.03).

*Safarevich* appears to disclose a welding method wherein a wound element is attached to a mating component by targeting a laser beam on the end portion of the wound element, thus creating a weld nugget. (see, e.g. Col. 2, lines 51-55; Col. 5, lines 14-25; and Col. 6, lines 5-15). *Safarevich* does not appear to teach or suggest “a mechanical connection between the structural member and the elongated shaft wherein the mechanical connection is a non-welded construction that is achieved without intermixing of material from the elongated shaft and material from the structural member” as is recited in claim 1.

Applicants also respectfully submit that *Mizutani et al.* does not appear to cure the deficiencies of *Safarevich*. Applicant’s representative has obtained an English language translation of the *Mizutani et al.* reference from a Japanese associate, a copy of which is provided in an invention disclosure filed with this Amendment. With reference to this English translation, it is apparent that *Mizutani et al.* is directed to a method of joining a low melting point material with a high melting point material by firing a laser beam, wherein the “[o]utside low melting point material will melt and vaporize, the periphery will soften and then the high melting point material **causes melting and rising, providing a mechanical crimping state, fuses, and forms a composite of the two materials.**” (See, e.g. page 540 paragraph 4). Thus, applicants respectfully submit that *Mizutani et al.* is directed at fusing and forming a composite of the two materials, and does not teach or suggest a non-welded mechanical connection achieved without intermixing of material from the elongated shaft and material from the structural member as recited in independent claims 1, 16, 19, 22, and 34. Accordingly, for at least these reasons, applicants respectfully assert that claims 1-3, 5-8, 10-12, 14-19, 21-23, 25-31 and 33-34 are allowable over *Safarevich* and *Mizutani et al.*, taken either alone or in combination.

**Conclusion**

Reexamination and reconsideration are respectfully requested. It is respectfully submitted that the claims are now in condition for allowance, and issuance of a Notice of Allowance in due course is requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,  
ALAN D. ESKURI et al.

By their attorney,

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